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8

7 **UNITED STATES BANKRUPTCY COURT**  
8 **EASTERN DISTRICT OF CALIFORNIA**

9 IN RE:

10 CRAIG AARON SOLIZ-STROHL

11 JOSE ALBERT RODRIGUEZ SOLIZ-STROHL  
12

13 Debtors  
14  
15  
16  
17

CASE NO. 25-10024

DC NO.: LGT-1

CHAPTER 13 TRUSTEE'S MOTION TO  
DISMISS PURSUANT TO 11 U.S.C.  
§1307

DATE: April 10, 2025

TIME: 9:30 am

PLACE: U.S. Courthouse

5th Floor, Dept A, Courtroom 11

2500 Tulare Street

Fresno, CA 93721

JUDGE: Hon. Jennifer E. Niemann

18 **TO THE DEBTORS AND DEBTORS' ATTORNEY:**

19 **YOU AND EACH OF YOU** are hereby notified that Lilian G. Tsang, Chapter 13 Standing  
20 Trustee, will move to dismiss the above-referenced case pursuant to §1307 of the Bankruptcy Code  
21 at the time and place set forth above for the following reason(s):

22 **I.**

23 **BASIS FOR DISMISSAL**

- 24 1. Unreasonable delay by the debtors that is prejudicial to creditors. [11 U.S.C. §1307(c)(1)]  
25 2. Debtors failed to set a modified plan for hearing with notice to creditors.  
26 3. Debtors failed to file and set for hearing a motion to value 2011 Chevrolet Tahoe held by  
27 American Auto Finance and the 2018 Ram 1500 Crew Cab held by American Credit Acceptance  
28 pursuant to Local Rule 3015-1(j).

1 4. Debtors failed to provide the following required document(s) to the Trustee (if  
2 applicable):

3 a. Proof of Debtors' complete social security number, by way of social security card or W-2  
4 Form.

5 5. Debtors failed to cooperate with the trustee as required in [11 U.S.C. §521(a)(3)(4)]. [11  
6 U.S.C. §1307(c) "for cause"] More specifically, Trustee requested and Debtors failed to provide the  
7 following documents:

8 a. List of all inventory and equipment, current values, dates of purchase and values when  
9 purchased

10 b. Business Case Questionnaire

11 6. Debtors failed to file a complete plan. Section 3.14 of the amended plan filed February 11,  
12 2025 is blank.

13 7. Debtors failed to file the following schedules and/or statements. [11 U.S.C §521] and/or  
14 F.R.B.P 1007

15 a. Schedule I 8a Statement of Monthly Net Income

16 b. Official Form 122C-2 Chapter 13 Calculation of Your Disposable Income

17 8. Debtors failed to accurately file the following schedules and/or statements. [11 U.S.C §521]  
18 and/or F.R.B.P 1007

19 a. Schedule A/B: Question #37 is marked "yes" but nothing has been listed. Question #39 is  
20 blank.

21 b. Schedule C: Most items listed are illegible. Exemptions 703 and 704 are mixed. Several  
22 exemptions asserted by the Debtors do not exist.

23 c. Schedule E/F: No totals are given in Part 4.

24 d. Schedule I: The math is incorrect on lines 7 and 10.

25 e. Schedule J: The math for the monthly net income is incorrect. Done correctly it would in  
26 fact be negative monthly net income.

27 f. Statement of Financial Affairs: No income is listed for the current year 2025. Questions  
28 #13 and 22 are unanswered.

1           g. Official Form 122C-1, Chapter 13 Statement of Your Current Monthly Income and  
2 Calculation of Commitment Period: No income has been listed for Debtor 2. It appears all income  
3 was listed under Debtor 1. Lines 11, 15a, 16a, 16b, 17, 19b, 20a, and 20b have not been filled out.  
4

5           9. Debtors are ineligible to be a debtor in a Chapter 13. Debtor failed to complete the Credit  
6 Counseling Certificate prior to the bankruptcy filing date. [11 U.S.C. §109(h)]

7           10. Debtors have failed to commence making plan payments. Debtors have failed to make  
8 payments due under the plan. As of March 07, 2025, payments are delinquent in the amount of  
9 \$499.76. While this motion is pending further payments, will come due. In addition to the delinquency  
10 amount, Debtors must also make the monthly plan payment of \$499.76 for March 25, 2025. [11  
11 U.S.C. §1307(c)(4)]

12           11. As of the date of this motion, Debtors have filed inaccurate and/or incomplete schedules; and  
13 thus, Trustee has not been able to determine liquidaiton in this case.

14           **WHEREFORE**, the Trustee prays that the Court enters an order dismissing this case as the  
15 Debtor is ineligible to be a Debtor in bankruptcy.

16 DATED: 3/07/2025

Respectfully submitted,

/s/ Lilian G. Tsang

Lilian G. Tsang,

Chapter 13 Trustee